

Remarks

35 USC § 101

Applicant submits that Claims 36 and 37 comply with the requirements of 35 USC §101.

The preamble of both Claim 36 and Claim 37 recites “A computer program product for implementing a method of operating an ingress entity of a packet network”. Applicant therefore submits that the subject matter of the claim is tied to a particular machine i.e. the ingress entity and the claim therefore satisfies the requirements of the “machine-or-transformation test” set out in Bilski.

Hence, the Applicant submits that the application fulfils the requirements of 35 USC §101.

35 USC § 103

The Examiner’s comments and reasoning in the “Response to Arguments” is noted and appreciated. However, the Applicant submits that the claims are still patentable as they stand for, at least, the following reasons.

Claim 1 recites the feature of “controlling the step of removing TFO information from the stream of voice data to ensure that the TFO information does not leak through to the voice data”.

The Examiner, on page 6 of the office action, states that “Dropmann’934 indicates in paragraph 9 that the TFO info (i.e. signalling info extracted from the TRAU from the incoming stream can be sent separately out of band while voice data is sent separately packaged... and ensures no signalling data is leaked into the voice stream)” (emphasis added).

However, the Applicant submits that all one would learn from Dropmann ’934 is to transmit the TFO data in a signalling data stream rather than a voice data stream in order to prevent leakage of data between the two data types.

This, however, is not what is claimed in Claim 1. Rather Claim 1 controls the step of removing TFO information to ensure that TFO information does not leak through to the voice data. Applicants therefore submit that Dropmann '934 does not disclose all the features of Claim 1.

Koistinen '114 also only discloses extracting TFO signalling bits from the TFO TRAU frames which are received at an MSC (see, for example, column 9 Lines 11 to 13). Nowhere does Koistinen '114 disclose or even suggest how the TFO information is removed from the voice data. Thus, Koistinen '114 cannot disclose the step of “controlling the step of removing TFO information from the stream of voice data to ensure that the TFO information does not leak through to the voice data” as recited in Claim 1.

Applicant therefore submits that as neither Dropmann '934 nor Koistinen '114 disclose or even suggest “controlling the step of removing TFO information from the stream of voice data to ensure that the TFO information does not leak through to the voice data” as claimed in Claim 1, Claim 1 is patentable over Dropmann '934 in view of Koistinen '114.

Claims 33, 34, 36, 37, 43 and 44 also recite the feature of “controlling the step of removing TFO information from the stream of voice data to ensure that the TFO information does not leak through to the voice data”. Applicant therefore submits that Claims 33, 34, 36, 37, 43 and 44 are patentable over Dropmann '934 in view of Koistinen '114 for at least the reasons given with reference to Claim 1.

Applicant submits that Claims 2 to 9, 11 to 17, 21, 22, 24 to 32, 39, 46 and 47 are patentable over Dropmann '934 in view of Koistinen '114 at least by virtue of their dependencies.

Additionally, with reference to Claim 46, Applicant submits that neither Dropmann '934 nor Koistinen '114 disclose or even suggest the further feature of “recognising the synchronisation pattern of the TFO information”. Dropmann '934 only discloses converting TFO information into an interworking with a signalling protocol (see, for example, paragraph 10). Dropmann

'934 does not mention the synchronisation pattern of the TFO information, let alone "recognising the synchronisation pattern of the TFO information" as recited in Claim 46.

Furthermore, Koistinen'114 only discloses "recognising the starting pattern of TFO TRAU frames" (column 10 line 8). Nowhere does Koistinen'114 discuss the synchronisation pattern of TFO information let alone "recognising the synchronisation pattern of the TFO information" as recited in Claim 46.

Applicant therefore submits that Claim 46 is patentable over Dropmann in view of Koistinen '114.

With reference to Claim 47, Applicant submits that neither Dropmann nor Koistinen '114 disclose or even suggest the further feature of "squelching TFO information in the stream of voice data". The Examiner states that "Dropmann'934 shows in Figure 2 that the incoming voice data stream that the TFO info is squelched of suppressed from the voice data stream by extracting it". Applicants respectfully disagree. In paragraph 10, which discusses Figure 2, all that is stated is that "the conversion device effects the conversion of the inband TFO signalling...into an interworking with a CC signalling and/or an interworking with an IU-UP protocol". Nowhere does Dropmann '934 discuss how the conversion occurs, let alone how any extraction of TFO information is achieved.

Furthermore, Koistinen '114 also does not disclose how the extraction of TFO information is achieved. All that is stated in Koistinen '114 is "from the information flow consisting of TFO TRAU frames, the TRAU frames are extracted. Thereafter for example the TFO signalling bits are extracted from the frames" (column 9 lines 9 to 13). Thus, all that is disclosed to one skilled in the art by either Koistinen '114 or Dropman '934 is the extraction of TFO bits.

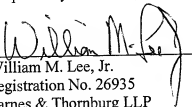
Nowhere does Dropman '934 or Koistinen '114 disclose or even suggest methods for extracting the TFO information let alone the feature of "squelching TFO information in the stream of voice data" as recited in Claim 47.

It is therefore submitted that the application, as it stands, distinguishes from the prior art and is allowable thereover. The Examiner's further and favorable reconsideration of the application is therefore urged.

As this response is being submitted during the fifth month following the Examiner's Office Action, an appropriate Petition for Extension of Time is also submitted herewith and should the statutory deadline arrive before the Examiner has acted on the application, a Notice of Appeal will be filed in order to provide sufficient time for the Examiner's review.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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